

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CANFORNAV INC.,

Plaintiff,

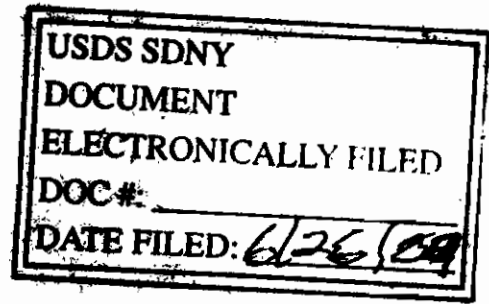
- v -

KAIORA INTERNATIONAL,

Defendant.

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**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**



**ORDER**

09 Civ. 4357 (NRB)

**WHEREAS** the complaint in this action was filed on May 5, 2009; and

**WHEREAS** Process of Maritime Attachment and Garnishment was issued against all tangible or intangible property of defendants in the amount of \$234,929.50 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure on May 7, 2009; and

**WHEREAS** plaintiff notified the Court by letter on June 19, 2009 that \$49,946.00 has been attached; it is hereby


**ORDERED** that plaintiff shall within thirty (30) days of this Order inform the Court in writing whether they have arranged with defendants and/or any third party to establish a separate escrow account into which to transfer funds in the

amount of the attached assets, or to pay such funds into the Registry of the Court; and it is further

**ORDERED** that upon receiving notification that an escrow agreement has been reached or that plaintiff consents to placing the funds into the Registry, the Court will dismiss this case without prejudice, and, upon request by plaintiff, the case will be reopened for the purpose of any necessary proceeding to enforce any judgment or arbitration award rendered in connection with a resolution on the merits of the dispute that is the subject of this action; and it is further

**ORDERED** that in the event that no escrow agreement is reached or plaintiff does not consent to placing the attached funds into the Registry, this Court's permission to serve the Attachment Order will nonetheless automatically expire thirty (30) days after the date of this order.

Dated: New York, New York  
June 25, 2009

  
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NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE

A copy of the foregoing Order has been mailed on this date to the following:

**Attorney for Plaintiff**

Jorge A. Rodriguez, Esq.  
Mahoney & Keane, LLP  
11 Hanover Square  
Tenth Floor  
New York, NY 10005